

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 164 – SB 534

March 4, 2023

SUMMARY OF BILL: Requires the Department of Children’s Services (DCS) to, as soon as practicable after gaining custody of a voluntarily surrendered infant, transfer that custody to a designated authorized nonprofit child-placing agency. States that if a child was voluntarily left at a facility or in a newborn safety device and has resided within an adoption petitioner’s home for at least three months, a court may waive the six-month waiting period to enter an order of adoption.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Based on information provided by the Commission on Children and Youth, approximately five children are estimated to be surrendered under the state’s Safe Haven Law.
- Upon notification by the receiving facility, DCS is required to assume the care, custody, and control of the infant and petition the appropriate court for legal custody.
- Additionally, within 10 days of receipt of an infant, DCS is required to give a newspaper notice once a week for 4 consecutive weeks in the county in which surrender occurred as well as any other county for which there is an indication the infant’s mother or father may be located. A mother who surrendered the infant may revoke such surrender and putative father may claim paternity no later than 30 days after notice was completed. Failure to do so constitutes abandonment of the infant. The infant may be placed in foster care until the adoption process begins.
- Based on information published by DCS, foster care rates for children 11 years of age or younger are \$27.53 per day.
- Requiring DCS to, as soon as practicable after gaining custody of a voluntarily surrendered infant, transfer the physical care, custody, and control of the infant to a designated authorized nonprofit licensed child-placing agency could result in decreased state and federal expenditures associated with placement of such children in foster care. However, due to the relatively low level of surrendered children under the Safe Haven Law, any such decrease is estimated to be not significant.
- Based on information provided by DCS, it is reasonable to assume that the majority of potential adoptive children live in their foster home for more than six months prior to the adoption petition being filed. Therefore, decreasing the residence threshold to three

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months for certain children before an order of adoption is entered is assumed to have no significant impact on DCS.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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